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PREVENTION OF DISCRIMINATION

Prevention of discrimination and protection of indigenous peoples

Report of the Working Group on Indigenous Populations on its nineteenth session

Chairperson-Rapporteur: Ms. Erica-Irene Daes

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Introduction

Mandate

1. The creation of the Working Group on Indigenous Populations was proposed by the Sub-Commission on Prevention of Discrimination and Protection of Minorities in its resolution 2 (XXXIV) of 8 September 1981, endorsed by the Commission on Human Rights in its resolution 1982/19 of 10 March 1982, and authorized by the Economic and Social Council in its resolution 1982/34 of 7 May 1982. In that resolution the Council authorized the Sub-Commission to establish annually a Working Group to meet in order to:

(a) Review developments pertaining to the promotion and protection of human rights and fundamental freedoms of indigenous populations, including information requested by the Secretary-General annually from Governments, specialized agencies, regional intergovernmental organizations and non-governmental organizations in consultative status, particularly those of indigenous peoples, to analyse such materials, and to submit its conclusions and recommendations to the Sub-Commission, bearing in mind inter alia the conclusions and recommendations contained in the report of the Special Rapporteur of the Sub-Commission, Mr. José R. Martínez Cobo, entitled "Study of the problem of discrimination against indigenous populations" (E/CN.4/Sub.2/1986/7 and Add.1-5);

(b) Give special attention to the evolution of standards concerning the rights of indigenous populations, taking into account both the similarities and the differences in the situations and aspirations of indigenous populations throughout the world.

2. Due to its comprehensive terms of reference, in addition to the review of developments and the evolution of standards, which are separate items on the Working Group's agenda, the Working Group has over the years considered a number of other substantial issues relating to indigenous peoples. In the light of the recommendation made by the Working Group at its seventeenth session (E/CN.4/Sub.2/1999/19, para. 194), the following items were added and included in the provisional agenda for the nineteenth session: Review of developments - general statements, including land issues, education and health; standard-setting activities, including a review of indigenous peoples' relationship with natural resource, energy and mining companies; International Decade of the World's Indigenous People; World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance; and Other matters. The principal theme of the nineteenth session was: "Indigenous peoples and their right to development, including their right to participate in development affecting them".

3. In its resolution 2000/14, the Sub-Commission requested the Secretary-General to prepare an annotated agenda for the nineteenth session of the Working Group.

I. ORGANIZATION OF THE WORK OF THE SESSION

A. Attendance

4. In its decision 2000/119, the Sub-Commission decided on the following composition of the Working Group at its nineteenth session: Mr. Miguel Alfonso Martínez, Ms. Erica-Irene Daes, Mr. El-Hadji Guissé, Ms. Iulia Antoanella Motoc and Mr. Yozo Yokota. The session was attended by Mr. Alfonso Martínez, Ms. Daes, Mr. Guissé, Ms. Motoc and Mr. Yokota. They were joined by Ms. Leila Zerrougui, member of the Sub-Commission, and Ms. Christy Mbonu, alternate member of the Sub-Commission.

5. The Working Group was attended by representatives of 33 Member States, five United Nations bodies and specialized agencies and 271 indigenous and non-governmental organizations. A total of 1,033 persons attended the nineteenth session of the Working Group. The list of participating States and organizations is contained in annex I.

B. Documentation

6. A number of documents were made available for the nineteenth session of the Working Group. The full list of the documentation is available in annex II of the present report.

C. Opening of the session

7. Ms. Stephanie Grant, representative of the Office of the High Commissioner for Human Rights, opened the nineteenth session of the Working Group on Indigenous Populations. She welcomed the participants and noted that the Working Group was the principal meeting place for the world's indigenous peoples. She expressed support for the main theme on indigenous peoples and their right to development, including the right to participate in development affecting them, and drew attention to the ongoing work of the Working Group on the Right to Development of the Commission on Human Rights. She also referred to the creation and importance of the Permanent Forum on Indigenous Issues which, she emphasized, was an institution of fundamental importance to indigenous peoples. She concluded by wishing the participants a successful meeting.

D. Election of officers

8. Ms. Erica-Irene Daes was elected Chairperson-Rapporteur at the first meeting of the nineteenth session by acclamation. Her nomination was proposed by Mr. Miguel Alfonso Martínez and supported by all the other members of the Working Group.

9. In her opening statement, the Chairperson-Rapporteur welcomed the participants to the nineteenth session of the Working Group. She also extended her welcome to the newly appointed Special Rapporteur on the Situation of human rights and fundamental freedoms of indigenous people, who would be in Geneva for the week to hold consultations with delegations. She announced that she planned to retire as Chairperson-Rapporteur of the Working Group and

that she did so with great sadness. She said that she believed progress had been made and she referred to a number of achievements made during her 18 years of chairmanship, emphasizing in particular the creation of the Permanent Forum. She noted that the Working Group had initiated a new form of constructive dialogue between indigenous peoples and Governments. She conceded, however, that much remained to be completed. She expressed concern that the draft United Nations declaration on the rights of indigenous peoples had languished in the working group of the Commission. Member States that did not support the draft declaration and indigenous persons who delayed the progress of its consideration were doing a great disservice to the United Nations and the international community. The Chairperson-Rapporteur referred to the great changes that had taken place since the first session of the Working Group, in particular the ending of the cold war. However, she pointed to new aggressions on indigenous peoples, in particular arising from increased foreign investment and environmental damage. She welcomed some of the work of the United Nations agencies that were now more active on indigenous issues. She noted the importance of protecting indigenous traditional knowledge and intellectual property. Referring to the Convention on Biological Diversity and the International Convention on the Elimination of All Forms of Racial Discrimination, she noted the importance of their full and effective implementation. She stressed the importance of an independent, well-resourced, full-time secretariat which would also include experienced indigenous persons and emphasized that this would be vital to the success of the new Permanent Forum on Indigenous Issues.

10. At the request of the members of the Working Group, the secretariat made the text of Ms. Daes's speech available to participants.

E. Adoption of the agenda

11. At its first meeting, the Working Group considered its agenda on the basis of the provisional agenda (E/CN.4/Sub.2/AC.4/2001/1).

12. A recommendation was made by Mr. Alfonso Martínez that the words "including the participation of the world's indigenous peoples at the Conference" be added at the end of agenda item 7. The amendment to the provisional agenda was agreed upon.

13. Mr. Kenneth Deer, on behalf of the Mohawk nation, asked that time be reserved on Friday afternoon to allow indigenous peoples to thank Ms. Daes formally for her outstanding work.. Ms. Motoc supported this request.

14. The provisional agenda as amended was adopted.

15. The Working Group held nine public meetings during its nineteenth session, of which one was an extended meeting.

F. Adoption of the report

16. The report of the Working Group on Indigenous Populations on its nineteenth session was adopted on 8 August 2001.

II. REVIEW OF DEVELOPMENTS PERTAINING TO THE PROMOTION AND PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS OF INDIGENOUS PEOPLES: INDIGENOUS PEOPLES AND THEIR RIGHT TO DEVELOPMENT, INCLUDING THEIR RIGHT TO PARTICIPATE IN DEVELOPMENT AFFECTING THEM

The concept of development

17. Under item 4 of the agenda, there were 117 oral statements. Many participants called for the incorporation of indigenous views and values into the concept of development. Similarly, indigenous knowledge and traditions should be taken into account in the planning and implementation of development projects. The notion of development should thus be based on a balance between Western or mainstream and indigenous views of development.

18. Mr. Alfonso Martínez noted that four basic questions were crucial to indigenous peoples' right to development, all of which were closely linked to the right to self-determination. Firstly, it would be fruitless to talk about development without taking into account indigenous peoples' own ideas and concepts of development. Secondly, an equitable and just solution to the issue of indigenous ancestral lands and natural resources (including water) must be found. Thirdly, indigenous peoples should have the right to freely enjoy their resources without authorization from others, and finally, there should be absolute respect for the decisions of indigenous peoples in regard to these matters.

19. Mr. Yokota stated that the notion of development should take into account the development, in all its dimensions of indigenous peoples themselves, both individually and collectively. He noted that, although the UNDP Human Development Index (HDI) constituted a very comprehensive approach to development, it was based on the individual enjoyment of rights within a given country and as such provided a basis on which to compare development between countries. He suggested that an HDI should be conceived in relation to identifiable indigenous peoples, so that the level of human development of indigenous peoples could be compared to the average HDI of countries. This would form a basis for the identification of solutions to fill the gap between the HDI of indigenous and non-indigenous peoples. The expert also said that he recognized that the notion of development of Governments and international institutions such as the World Bank and the International Monetary Fund was problematic for indigenous peoples. The rights of indigenous peoples should be carefully taken into account when planning national development programmes.

20. A representative of the Kanaky People of New Caledonia stated that the Western interpretation of development was based on the colonialist premise that development is equal to achieving Western civilization. He felt that his people were being forced to adopt the Western way of life, which was alien to Kanaky culture and identity. An appropriate model of development should be based on Kanaky needs and values.

21. Mr. Guissé expressed concern about the imposition of a Eurocentric approach to development on the rest of the world. Diverse approaches and perspectives should be applied in order to avoid imposed forms of development.

22. Several representatives of the Maya people in Guatemala stressed the importance of spirituality as the basic principle guiding indigenous peoples. It helped them to understand respect for all life and how to value communal efforts. To them, development meant having access to sacred sites so that an equilibrium could be reached with the Ajau (he who gives life), with nature, and with the ancestors. Development could be reduced to the exploitation of others, but rather should consist of solidarity and helping others. One representative underlined the importance of taking into account the values of indigenous women and the needs of indigenous youth and children.

23. A representative of the Maasai people of Kenya explained that to pastoralist communities, land was the basis for all kinds of development and production. Therefore, development must ensure the conservation and sustainable use of land, water and natural resources. Development must be relevant to the needs of people. The Maasai people knew how to achieve this type of development in their region, based on land, education for empowerment, and a peaceful environment. Their development needs were education, food, water and land rights, and securing the indigenous pastoralist resource base.

24. Ms. Motoc stated that indigenous peoples should not be regarded as obstacles to development, but be accepted as a part of the diversity of humanity and the wealth of humankind. Development that violated the rights of indigenous peoples had been labelled "aggressive development" by NGOs. She suggested that the Working Group should undertake a study on the relationship between development and indigenous peoples.

Human rights and the right to development

25. Indigenous representatives, governmental delegates and members of the Working Group all reiterated the importance of the indivisibility of human rights, and that all human rights were an integral part of the right to development. A number of interventions recalled article 1 of the Declaration on the Right to Development of 1986, which stated that "The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized".

26. A number of representatives stated that denying human rights and the right to development to indigenous peoples stemmed from racist and discriminatory attitudes that pervaded government agencies. In that respect, the Grand Chief of the Grand Council of the Crees of Quebec stated, inter alia, that article 1 of the Declaration on the Right to Development was predicated directly and explicitly on the International Covenant on Civil and Political Rights. It followed that since indigenous peoples enjoyed the right to self-determination under the Covenant, as determined by the United Nations Human Rights Committee which had the specific mandate to interpret the Covenant, then indigenous peoples had all the rights and protections contained in the Declaration on the Right to Development. Indigenous peoples were not simply another social group affected by development policy. They were imperilled, and it was their very existence which was threatened by development. Also, they were the owners of the land and its resources and would therefore control development in their lands.

27. The representative of the World Sindhi Congress of Pakistan discussed a number of ongoing human rights violations that impeded his people's right to development. Among them was the systematic suppression of indigenous culture and language which obstructed Sindhi children's education and the access to information of his people. Sindhi development was further threatened by religious intolerance and the violation of civil rights.

28. Several representatives of the Amazigh people of North Africa stressed that the denial of basic human rights impeded development. They discussed violations of social, linguistic and cultural rights and how these impeded the successful integration of the Amazigh people in the overall development of the country. He appealed to the United Nations to encourage Governments in the region to stop the violent repression of his people.

29. A representative of the Comité Suisse de Soutien aux Chagossiens discussed the link between the right to identity and development. She pointed out that the right to development was a fundamental right that allowed each people to progress in the way it saw fit. The right to development could therefore not be exercised without the recognition of the right to identity. Like the colonial Powers had done before, the Government of Mauritius claimed that no indigenous peoples inhabited the Chagos Islands and that there existed only "Mauritians", thereby denying the Chagos people the right to choose their manner of development. The representative of Mauritius confirmed that in the view of his Government, there were no indigenous peoples in Mauritius but the Government had always been supportive of its Illois-Chagossien minority.

30. Representatives from various indigenous organizations underlined the importance of basic services such as fresh drinking water, health and education for indigenous peoples necessary to achieve the right to development.

Participation in development and democracy

31. Mr. Yokota stressed that indigenous peoples should participate in development, on three levels. First, their participation should be meaningful and effective. Secondly, indigenous participation should be ensured in all phases of development, from planning the projects to sharing the benefits. Finally, indigenous participation should be ensured in national development programmes, including those that might not affect them directly. The incorporation of indigenous ideas and experiences would lead to more acceptable development programmes for the whole country.

32. Many indigenous representatives stated that their lack of representation in Government was one of the main obstacles to indigenous participation in development. For example, representatives of the Ogiek people of Kenya and of the Batwa people in Rwanda spoke of the difficulties of effective minority participation in a majority-based democratic system. Because of their small numbers, Ogiek representatives could not be elected to parliament. A similar situation existed for the Batwa. The absence of representatives in Government precluded indigenous participation in the decision-making process and in development planning.

33. The representative of the Dabalorivhunwa Patriotic Front pointed out that in governmental systems where the majority effectively ruled over the minority, the domination of the cultural majority often led to the assimilation or disappearance of minorities, or indigenous peoples. He therefore stressed the importance of just and proportionate representation of all groups throughout the political system.

34. A number of indigenous representatives regretted the lack of recognition and resources from Governments for their community institutions, which could otherwise play a crucial role in ensuring that community decisions were taken into account in all stages of development programmes.

35. The representative of Canada stated that his country had made a number of efforts to ensure the participation of aboriginal people in development. In that regard, he mentioned the participation of indigenous people on environmental assessment and regulatory boards and in land claim settlement agreements, which provided for land, financial resources and agreed access to natural resources, and various forms of self-government. He discussed a number of initiatives on both the national and international levels such as the establishment of the Arctic Council and the development of a regional partnering approach to increase the opportunities for indigenous peoples to become employed in the industries that were active in the north of Canada.

36. The representative of New Zealand discussed the policy of her Government to ensure the participation of the Maori in development affecting them. She discussed the role of the Ministry of Maori Affairs, which had responsibility for elaborating government objectives in Maori development and coordinating the collaboration of Maori communities and other government departments. One programme currently being implemented, the Capacity Building programme, was geared towards assisting whanau, hapu, and iwi Maori communities to identify needs and develop initiatives to achieve long-term economic development.

37. The representative of Chile mentioned two specific efforts of his Government to ensure the participation of indigenous peoples. Firstly, he noted the importance of the Indigenous Law of 1993 which, for the first time in Chilean history, recognized the existence of eight indigenous peoples of that country. The institution created by the Law, the Directorate of the National Corporation of Indigenous Development (CONADI), was made up of representatives from relevant ministries and eight indigenous representatives, who thereby had the chance to influence government policy directly. Secondly, he discussed the Programme for Comprehensive Development of Indigenous Communities which had four main components: the financing of economically productive initiatives aimed at raising the standard of living, health services that combined traditional and occidental medicine, intercultural bilingual education aimed at strengthening ancestral culture and, finally, strengthening of indigenous communities and capacity-building of civil servants working with the indigenous population. The participation of indigenous peoples in designing and implementing these policies was ensured by their representation in local, provincial and national bodies and committees.

Self-determination, self-development and the right to land

38. The representative of the National Aboriginal and Torres Strait Islander Legal Services Secretariat Limited of Australia noted that sustainable development was only possible

through the recognition of the right to self-determination for indigenous peoples. The right to self-determination, as was repeatedly emphasized in a large number of interventions, was strongly linked to the right of indigenous peoples to decide on their own development and to have control over their land and resources.

39. The statement presented on behalf of the indigenous caucus called for common article 1 of the International Covenants on Human Rights to be applied to indigenous peoples. Article 1 recognizes that all peoples have the right to self-determination and that they may freely dispose of their natural resources. The statement, like many other interventions, stressed the importance of the links between self-determination and the right to land for indigenous peoples' development and their cultural survival. The indigenous approach to self-development was based on the principles of respect for and preservation of land, natural resources and all elements of the natural environment; consensus in decision-making; mutual respect for peoples' values and ideology, including sovereignty over land, resources and the environment under natural law.

40. The representative of the Indian Law Resource Center argued for the recognition of indigenous peoples' right to permanent sovereignty over their natural resources. The principle that peoples and nations must have the authority to control and enjoy the benefits of the development and conservation of their natural resources had emerged in modern law after the Second World War and in the context of decolonization. The principle therefore applied to new emerging States and was a response to the inequitable situation that existed under colonialism. Over 80 United Nations resolutions dealt with this principle and its substance was incorporated in the draft United Nations declaration on the rights of indigenous peoples. There was a need to study this principle further with regard to indigenous peoples and the States where they were located. He argued that indigenous peoples were effectively colonized peoples in the economic, political and historic sense and suffered unfair and unequal economic arrangements typical of other colonized peoples. Indigenous peoples were entitled to the rights of self-determination and self-development and to exercise control over their natural resources, which belonged to them and had not been freely given up.

41. The representative of Spain discussed her country's Strategy for Cooperation with Indigenous Peoples which was formulated in 1997 and revised after consultations with indigenous peoples in 2001. The revision took into account the priorities of indigenous peoples as outlined in a final communication to the Government. These focused on the institutional strengthening and consolidation of indigenous organizations so as to ensure the formulation and implementation of their own strategies for development that were geared towards the defence and preservation of indigenous territories and natural resources, as these formed the basis for indigenous culture and identity.

Implementation of national legislation and international treaties

42. There was a general call for Governments to honour the treaties they were bound by and for the speedy adoption of the draft United Nations declaration on the rights of indigenous peoples. The failure of Governments to implement national legislation, international treaties or court decisions in favour of indigenous peoples' ownership over land or resources was mentioned by several participants. All noted that this effectively denied indigenous peoples their right to development.

43. The representative of the Ngatira Lands Trust Aotearoa of New Zealand discussed a number of cases in which the Treaty of Waitangi (the basis for the country's constitution) and court decisions in favour of indigenous peoples were not implemented. Several decisions of the Waitangi Tribunal in favour of Maori proprietary rights over land or rivers and that their rights had been violated and that they should be granted compensation were not accepted by the Government. She questioned the Government's ability and willingness to implement the right to development.

44. Several representatives of indigenous organizations from Canada discussed the lack of implementation of national and international legislation related to indigenous peoples' right to development. The representative of the Assembly of First Nations mentioned that the Human Rights Committee and the Committee on Economic, Social and Cultural Rights had expressed concern that the Royal Commission on Aboriginal Peoples' Recommendations had not been substantially addressed. He said that the lack of an adequate response on the part of the Government to Supreme Court decisions undermined indigenous youth's belief in the judicial system. A new trend towards negative rulings on aboriginal and treaty rights, was now eroding the possibility of using the Courts to clarify rights to land and resources.

45. The representative of Pagkakaisa Ng Aeta Ng Pinatubo Incorporated noted that for the first time in the Philippines, the rights of indigenous peoples had been embodied in national law, under the Philippine Indigenous Rights Act. This law incorporated four major rights: the right to ancestral domains; rights to self-governance and empowerment; social justice and human rights; and cultural integrity. This was a major step towards the recognition, protection and promotion of indigenous peoples' rights, including the rights to self-determination and development. However, he expressed concern that no clear policy had yet been developed to ensure the implementation of the new law.

Militarization, conflict and military bases

46. Those indigenous peoples confronted with conflict situations in their countries, particularly stressed the importance of peace as a necessary foundation for development. Conflict had led to the militarization of indigenous peoples' land in the Philippines, and indigenous representatives from the Philippines were concerned that the Government's preoccupation with the unification of political forces and the citizenry would mean that the implementation of indigenous peoples' right to development would not be given the requisite importance. The Maasai people of Kenya stressed the importance of conflict resolution programmes for achieving the right to development.

47. The representative of the Asian Buddhist Conference for Peace expressed concern that in spite of the signing of the Chittagong Hill Tracts Peace Accord in 1997, State-sponsored violence had continued with regard to development issues in the region. Development strategies based on road construction, pacification programmes and socio-economic development programmes, and immigration, remained in the hands of the military and the participation of indigenous peoples in the development process was excluded. He stressed that proper implementation of the Peace Accord could be a way to achieve development in all respects for the peoples in the region.

48. Many representatives stated that peaceful protest campaigns and marches that were organized in response to inappropriate development projects on their territories were violently repressed by their Governments with the help of the military and the police.

49. The Assembly of First Nations of Canada stated that the denial of the right to development for indigenous peoples could lead to conflict. For example, in one country, recent conflicts over fisheries had led government agents to use physical violence to subdue indigenous peoples carrying out a treaty-based fishery activity. The spiral of violence triggered by the failure of the Government to adequately address indigenous access to land and resources was leading to growing racial intolerance in many countries.

50. An indigenous representative of South Africa discussed the formation of a new indigenous body called the National Khoisan Consultative Council of South Africa, which was established to promote unity among the indigenous peoples of South Africa. One of its main goals was to establish a means for the resolution of land claims. Farmers of European descent were currently being subjected to "farm killings", and the looming conflict over access to land needed to be resolved effectively through recognition of indigenous land rights. Social upheaval would be the result of unresolved land issues.

51. The representative of the Association of Indigenous Peoples in the Ryukyus spoke of the practical problem of unexploded bombs throughout the islands of Japan, and other related problems. The bombs continued to cause death and injury in Okinawa, particularly during land development efforts.

52. The representative of the Inuit Circumpolar Conference expressed concern about the consequences of the United States National Missile Defense (NMD) strategy on indigenous peoples of the Arctic, as the strategy would involve the creation of military infrastructure in several places across the Arctic. The Inuit had developed, through their Principles and Elements for a Comprehensive Arctic Policy, a number of statements about peace, disarmament and development. NMD would create fear and inhibit the development of peaceful relationships around the world.

53. The representative of the World Sindhi Congress explained that three quarters of Pakistan's budget went into defence-related activities, thereby precluding investment in sustainable development projects.

Private sector development/impacts

54. Several indigenous representatives from the north of Russia discussed their peoples' dependence on a fragile ecosystem. They saw their traditional economy threatened by the disruption caused by railways and roads which undermined reindeer hunting and caused erosion and silting of the rivers, which in turn harmed fishing. Agreements with multi-national corporations often were not respected, and mining companies entered their territory without the prior consent of traditional landowners. Partnerships with these companies tended to be geared more towards ensuring their peoples' survival rather than development.

55. The construction of hydroelectric power dams was repeatedly cited as inappropriate development implemented by Governments. In Japan, the building of a dam in Nibutani, land sacred to the Ainu people, had a severe impact on the community on several levels. The dam led to flooding and erosion, thereby destroying traditional agriculture. The change of the water temperature in the river caused fish to become extinct while places with useful wild plants, as well as sacred ceremonial sites, were submerged. The links between the Elders and the young were destroyed and, as poverty forced families to sell their land to the Government, divisions in the community were created. The representative of the Ainu Association of RERA stressed that indigenous peoples should be able to determine their own course of development.

56. The representative of the Zo Reunification Organization stated that the building of the Kaptai dam by Pakistan resulted in the inundation of over 40 per cent of the arable tribal valley lands in the Chittagong Hill Tracts. Over 100,000 indigenous people had lost their ancestral land and nearly half of them had become displaced. He stated that hydroelectric dams, logging and the destruction of jhum cultivation were all part of the modern development process. He regretted that government policy reflected concern for the preservation of wildlife and the environment but failed to address the basic human values of the Zo people. Sustainable development, he said, could not exist without the protection of indigenous people.

57. The representative of the Centre for Organisation Research and Education (CORE) expressed concern about the building of 25 hydroelectric dams in India, threatening the indigenous people of Manipur. Like other speakers on the issue of dams, he stated that neither pre- nor post-impact assessment studies had ever been carried out, that these projects were implemented without the consent of the people most affected by them, and that the people did not receive any benefits.

58. The mining and logging activities of transnational corporations were said to have an extremely negative impact on the environment on which indigenous peoples depended for their development. Moreover, transnational cooperations were often cited in connection with multiple violations of the rights of indigenous peoples. A number of indigenous representatives voiced the need for a code of conduct for transnational corporations.

59. The representative of the Siocon Subanon Association of the Philippines made a statement concerning the negative impact of mining activities on indigenous territory. He stated that in spite of agreements between the Government and indigenous organizations, a Canadian mining company, Toronto Ventures Inc. (TVI), had occupied their land against their wishes, in violation of the principle of prior and informed consent that was upheld in a number of Philippine laws. The company had militarized the land and set up checkpoints that regularly prevented farm products, food and other commodities, as well as people, from entering or leaving the area. This had not only obstructed indigenous trade activities, but had also delayed the building of a school and affected religious practices and health services. The mining activities had driven away animals, poisoned the fish and destroyed the local medicinal herbs. The company's activities constituted not development, but merely exploitation of the resources and people on the land.

60. A number of indigenous representatives stated that the creation of national parks or game reserves had forced their people off their land. For example, the Boran people of Kenya stated that four reserves in Isiolo had been annexed for this purpose, affecting important grazing and watering points previously used by pastoralists. The further extension of existing parks and the creation of new parks had led to the displacement of thousands of people and livestock in the region.

61. A representative of Ka Lahui Hawai'i expressed concern about the effects of the tourist industry. She stated that tourism had resulted in the dislocation of her people and in their increasing poverty. While the Government spent billions of dollars on the tourist industry, the Kanaka Maoli continued to suffer from overcrowded housing, poor health, homelessness and assimilation. In order to survive on their ancestral lands, people were forced to work at two or three jobs in the tourist industry. Multinational corporations enjoyed a greater degree of sovereignty than the indigenous peoples. Indigenous land had been offered to businesses by the Government. The Kanaka Maoli needed to be given the ability to develop their own education system, system of justice and sustainable development model. She expressed grave concern about the ongoing militarization of her people's traditional lands by the United States military.

Globalization

62. Many indigenous representatives expressed concern about the negative impact of the process of globalization on their peoples. The Indigenous Peoples Caucus defined globalization as "the integration of trade, finance and information that is creating a single economy". This process had had a detrimental impact on indigenous peoples as it often carried with it the weakening of environmental regulations, an increase in unemployment, cuts in spending on education and health services and a widening of the gap between the rich and the poor.

63. Mr. Guissé stressed that globalization, transnational companies and related structures were ruled by interests that were directly opposed to those of indigenous peoples. Their power base was in the North, never in the South. Several other speakers noted that globalization reinforced the imbalance of power in favour of the North, and therefore strengthened those interests that threatened indigenous peoples.

64. The representative of Unesco Extea pointed out that the recent surge of the information society had resulted in a new gap between info-poor and info-rich people. Even though communication technology had the potential of fostering a more linked and democratic society, at the moment it put indigenous people in an even weaker position as they remained excluded from its benefits.

Sustainable development and indigenous enterprises

65. The representative of the Khakas people spoke of the rebirth of his people's traditions and culture. The cultural renaissance, however, was poorly funded and continued development required access to resources, including access to the benefits of the development on traditional lands. The need for financial resources to support the implementation of sustainable development projects was repeatedly mentioned.

66. A representative of the Mayan people of Guatemala spoke of the worsening situation of indigenous children in his country. His organization, OTM Niños Mayas - Consejo Tukum, had set up a project, "Árboles de la Tempestad de 1999" for the Mayan children. The timber destroyed in the 1999 hurricane was turned into works of art by artists from all over the world, and sold to finance the project. He requested further support from Governments, international organizations and NGOs. He stated that the project was an excellent example of the indigenous interpretation of development, combining the spiritual with the material.

67. A representative of the First Nations Business Teaming Group (FINBARR), in cooperation with Broken Arrow Neutral Deminers (BAND), said that his organization could train indigenous people to become skilled technicians and operate sophisticated landmine detection equipment. The project would enhance and support sustainable community development with a strong economic base. He expressed hope that the United Nations would support the indigenous initiative for the elimination of landmines.

68. The representative of Aboriginal Business Leaders and Entrepreneurs, a Canadian organization, explained that his organization was working to strengthen indigenous markets and revitalize traditional trading relationships. He announced that an International Indigenous-to-Indigenous Trade Summit would be held at Winnipeg, Canada, from 7 to 9 May 2003, and invited the participants to the Working Group to attend the meeting.

69. A number of organizations mentioned the possibility of ecotourism as a means of attaining sustainable development.

The role of international agencies and bodies

70. There was general agreement that international organizations should ensure the participation of indigenous peoples in their development activities. The World Bank and United Nations agencies were repeatedly urged to design policies that directly assist indigenous peoples in development on their territories, and to involve them in all stages of development projects.

71. The representative of UNDP stressed the importance of partnerships among development actors. She stated that indigenous peoples had a critical role to play in maintaining, enhancing and promoting sustainable models of development. Partnerships with indigenous peoples were the key to preventing and resolving conflict, enhancing democratic governance, reducing poverty and sustainably managing the environment. The new UNDP policy on indigenous peoples would be launched at the World Conference against Racism. The policy had three objectives: to integrate indigenous perspectives into future UNDP policies, programmes and projects that affected them; to make indigenous peoples' concerns a cross-cutting issue within UNDP's areas of work; and to support indigenous peoples' initiatives, networking and capacity so that their perspectives were brought to bear in key human development processes and outcomes. Five thematic priority areas had been identified: democratic governance, poverty reduction strategies, crisis prevention and recovery, environment and sustainable energy, support and development of cultural revitalization. Finally, she expressed UNDP's full support for and recognition of the Permanent Forum on Indigenous Issues.

72. The representative of UNESCO stressed the need to rethink development from a multicultural perspective, based on diversity and peaceful interaction among cultures. Respect for cultural diversity and cultural identity was the motor, if not the essence, of sustainable development and was of capital importance for indigenous peoples. The loss of cultural identity often put indigenous peoples in a cultural and psychological vacuum and therefore constituted an obstacle to their social and human development. UNESCO therefore had a role to play in promoting the participation of indigenous peoples in the formulation of national cultural policies, particularly with regard to cultural rights. The organization had as its goal to ensure access for indigenous peoples to a multicultural society, and to develop integrated activities to reduce poverty. New information and communication technologies were central to these efforts, as they could be a means of spreading indigenous knowledge, traditions, language and culture. UNESCO was currently preparing a draft declaration on cultural diversity that would be submitted for approval at the thirty-first session of its General Conference.

73. Many indigenous representatives expressed criticism of the policies of international trade and lending agencies such as the World Trade Organization, the World Bank and the International Monetary Fund. A representative of the Deboin Peoples Foundation Inc. of Papua New Guinea expressed concern that WTO rules limit the capacity of Governments to regulate international trade. Free trade agreements might, for example, prohibit trade measures such as controls on endangered species or bans on tropical timber exports. She also stated that development projects or structural adjustment programmes imposed on Governments by the World Bank or IMF effectively took away peoples' choice or their right to development.

74. The representative of the World Bank stressed the need to strengthen cooperation and collaboration with indigenous peoples. He recognized that certain development activities in the past had had negative impacts on indigenous peoples such as involuntary resettlement, restricted access to natural resources and violations of basic human rights. He stated that the World Bank was fully committed to addressing the poverty and voicelessness of indigenous peoples in four ways: by financing development projects which benefited them, by engaging in policy dialogue with borrower Governments and other stakeholders, by applying safeguard policies, and by building a knowledge base on development issues to be shared with stakeholders. Finally, he stated that the World Bank would like to take the opportunity of the Working Group to receive feedback on the World Bank's work on indigenous peoples and on its draft indigenous peoples policy.

75. The Indigenous Peoples Caucus noted a positive development in the publication of the World Commission on Dams report *Dams and Development: A New Framework for Decision-Making*, that was published in November 2000. In the report, the WCD recommends the promotion of free and prior informed consent of indigenous peoples to projects affecting them.

76. The Caucus also expressed appreciation of the adoption of a resolution on indigenous peoples by the Council of Ministers for International Development of the European Union. The resolution acknowledged indigenous peoples' right to self-development, recognized diverse concepts of development and the right of indigenous peoples to object to development projects on their lands.

77. The representative of Switzerland expressed strong support for the Permanent Forum on Indigenous Issues. He stated that that body, made up of an equal number of government and indigenous representatives, would have a crucial role to play in promoting dialogue between the two parties by providing a forum for the discussion of ways to realize the right to development. He stressed that Switzerland hoped that the Forum would be established in Geneva, where it would benefit from the numerous arrangements that were already in place to support indigenous peoples. He considered the establishment of the Forum to be a concrete example of follow-up to the 1993 World Conference on Human Rights, which encouraged the international community to promote effective international cooperation to realize the right to development. The Government was convinced that close cooperation between the Forum and the Working Group was very important in realizing the right to development of indigenous peoples, including their right to participate in development affecting them.

78. The representative of the Lumbu Indigenous Community Foundation stressed the importance of the young people of indigenous communities and the central role they played in development. He therefore expressed support for all strategies that empowered the young and strengthened the network among them, such as world indigenous youth conferences.

III. REVIEW OF RECENT DEVELOPMENTS PERTAINING TO THE PROMOTION AND PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS OF INDIGENOUS PEOPLES: GENERAL STATEMENTS, INCLUDING LAND ISSUES, EDUCATION AND HEALTH

79. Under item 5 of the agenda, there were 104 speakers. The Chairperson of the Torres Strait Regional Authority spoke of the progress of the Torres Strait Islanders. The Regional Authority was established in 1994 and the lives of the people had improved greatly since. The people of the Torres Strait Islands still strove for more autonomy and were negotiating directly with the Commonwealth and Queensland governments. The representative also spoke of the need to secure greater control over sea resources. Non-indigenous commercial fishing interests were exploiting the natural resources that were the sea rights of the Torres Strait Islander peoples and his people were moving to reclaim those rights, both for subsistence fishing and for possible commercial ventures.

80. The representative of the Working Group on Indigenous Minorities in Southern Africa described the conditions of the San community in South Africa. In 2000 the Government announced that 20,000 San had to be resettled away from their traditional lands. He said that almost half of the total land (44 per cent) in Namibia was in the hands of private landholders. Land inequality and land allocation were thus of special importance to the people who lived in communal areas. Two thirds of the people of Namibia (900,000) shared 41 per cent of the land. Only a small proportion of Namibia's San community, which numbered approximately 38,000 people, retained management rights to their ancestral lands. The vast majority of San, though still residing on the land of their ancestors, had been dispossessed of their natural resources and now resided on land managed by other people.

81. The representative of the ILO provided information on the ratification and implementation of ILO Convention Nos. 107 and 169. Three new indigenous staff members had been employed full time to work on indigenous issues. She expressed the hope that more United Nations bodies would follow the lead of ILO, and urged all States to review critically the way they treated indigenous and tribal peoples.

82. The representative of the Metis nation of Alberta spoke of the need for more Governments to attend the Working Group. She drew attention to indigenous health issues such as diabetes, which was an increasing problem for aboriginal peoples in Canada. Metis and other aboriginal children in Canada were suffering from many ailments, including AIDS, foetal alcohol syndrome and alcohol and drug dependency syndromes. Depression and suicide were becoming epidemic among children and youth. This situation was due to families being compelled to live on settlements and reserves, alienated from their traditional natural and social environments. The impact on indigenous peoples, particularly children and women, was considerable, leading to physical, social, emotional and spiritual illness.

83. The representative of the Fund of the Seventh Generation spoke of sacred sites and their importance to indigenous peoples. Access to the sites was often difficult, as the traditional people no longer owned their own land. Lands were being legislated out of indigenous control. Since there was no clear legal definition of what a sacred site was, the sites were often commercially exploited. She said that indigenous peoples were also victims of religious intolerance.

84. The representative of Hmong International Human Rights Watch said that the Hmong people were refugees scattered across two countries. She accused the Lao Government of continuing military transgressions and other human rights violations against the Hmong people, including arbitrary detentions and killings. She said that the Lao Government was forcibly relocating Hmong people to Viet Nam. The representative asked the High Commissioner for Human Rights to address the on-going human rights abuses faced by the Hmong, and requested the Lao and Vietnamese Governments to withdraw their troops from the Saysomboun Special Zone where Hmong refugees were currently in danger.

85. The representative of Canada said that his country was eager to address past grievances and current disadvantage. Comprehensive land claims were being processed, and he referred to the Labrador Inuit Land Claims Agreement in Principle in that regard. Canada was pursuing the recommendations of the recent report, "Strengthening Aboriginal Participation in the Economy". Canada believed that addressing aboriginal issues was a long journey but vital for the whole of Canada.

86. A representative of the Indian Movement "Tupaj Amaru" spoke of the violations of human rights of the indigenous peoples in the Andean countries. He said that the Bolivian Government had opened the economy to multinationals such as mining companies that exploited the traditional lands of indigenous peoples. Government officials continued to intimidate indigenous peoples; his own human rights documents had been taken from him by government officials when he was leaving the country to attend the meeting.

87. The representative of the Santhal Adivasi people of the province of Jharkhand of India spoke of the exploitation of their traditional forests by mining interests. Development projects such as dams continued to cause massive pollution and displacement of people. In the last 50 years the Supreme Court of India had given a favourable judgement for the Adivasi only once. The so-called Samanta judgement confirmed that the provisions of the fifth Schedule of the Constitution must be respected (it states that Adivasi land cannot be bought by non-Adivasi). That decision, he said, was comparable to the Mabo case in Australia. He noted, however, that the Indian Government had plans to amend the fifth Schedule, and even the Constitution, which, left no protection for the indigenous peoples of India.

88. The representative of the Metis National Council recalled the statement by the representative of the Canadian Government at the Working Group in 1998 in which the Government affirmed the right of self-determination of indigenous peoples. He claimed that the Government no longer supported this principle. He believed that the Canadian Government continued to refuse to implement the recommendations of its own Royal Commission on Aboriginal Peoples.

89. The representative of the Komi People Revival Committee from Russia said that the Organization had achieved a lot in the last 10 years. Among other things, the Committee had worked with the Government to gain recognition and restoration of the language of the Komo people. In December 2000, a congress had been held with the Finno-Ugric people of Finland. Many of the problems faced by them were the same as the those of the Komo and solutions to the problems of the indigenous people of the north could be found together.

90. The representative of the World Coalition for Indigenous Children and Youth recommended that a workshop for indigenous children be held annually to provide a regular forum for the discussion of matters affecting indigenous children and youth, and that active and extensive youth participation be encouraged.

91. A representative of the Cactus Valley Red Willow Spring Sovereign Community of Big Mountain told the working group that since 2000, the Navajo people had been living under the jurisdiction of the Hopi Tribal Council and that violations of human rights had been increasing since then. She drew attention to intra-tribal conflict that she said could also be an obstacle to development.

92. The representative of the Nagatira Lands Trust Aotearoa informed the Working Group of recent developments concerning the Maori in Aotearoa. The Government of New Zealand had collected statistics that showed the gap in economic and social well-being between Maori and non-Maori people. Initially, the Government was planning to use those statistics to fund affirmative action projects within Maori communities. However, the Government had recently redefined its policy on "closing the gaps". She believed that the new policy portrayed the Maori as a group that was unable to achieve.

93. The representative of the International Organization of Indigenous Resources Development stated that the Canadian Government had recently undertaken a smear campaign to gain public support for a First Nations Governance Initiative, which took no account of indigenous institutions. He also mentioned the forthcoming General Assembly special session on

children and the document to come out of it, A World Fit for Children, and stressed the importance of the draft recommendations of this significant report being adopted and implemented.

94. The representative of the Indigenous Tribal Development Centre stated that illegal migration to their region in India was reducing the percentage of indigenous people to 30 per cent, resulting in the immigrants gaining a dominant position. This had led to an armed struggle, which was depicted as terrorism by the Government and treated as a law and order problem. No attention was being given to the rights of the indigenous peoples who were defending themselves and their right to self-determination. He also spoke of repression by the armed forces, even against women and children. He stated that the social and economic conditions of the indigenous peoples were much worse than those of the non-indigenous people, and called for the Government to revise its policies and legislation to change this situation.

95. The representative of the Juridical Commission for Auto-Development of First Andean Peoples (CAPAJ) made a statement concerning the Puna region of Peru. The representative spoke of the efforts of international organizations to implement international treaties (for example, to combat desertification) and government policies that continued to have a detrimental impact on the ecosystem. That had triggered demonstrations and protests by indigenous peoples in Bolivia and Peru, as no constructive dialogue seemed to be possible. In regard to ILO Convention No. 169, he noted that Chile had not ratified it, and in Argentina it had been ratified but without the political will to implement it.

96. The representative of the Consejo Nacional de Mujeres Costarricenses spoke of the need for indigenous peoples to have their own education and legal systems if they were to achieve development. Also, there was a need to have an open dialogue with the Government, ensuring that information reached their communities.

97. A representative of the Association of Indigenous Peoples in the Ryukyus told the Working Group about sexual crimes and violence committed against her people. She said that many sexual crimes went unreported when they happened to the indigenous peoples of Uchinanchu, even when the crimes were committed by servicemen from the United States of America. She accused the Japanese Governments of putting good relations with the United States before investigating crimes against indigenous peoples in Japan.

98. The representative of the Centre for Organization Research and Education (CORE) in India underlined the fact that many young indigenous persons were forced to join the armed forces of India as a means of survival, and that the suicide rate among indigenous people was dramatically high. She requested the High Commissioner for Human Rights to take action to investigate the conditions of all indigenous children in the world.

99. The representative of the International Indian Treaty Council stressed the fact that the gap between the health and well-being of indigenous peoples all over the world and the health of the majority of people was still growing, despite efforts by Governments and indigenous organizations.

100. The representative of WHO welcomed the establishment of the Permanent Forum on Indigenous Issues and the nomination of the Special Rapporteur and said that her organization looked forward to closely working with these two new mechanisms. She expressed concern th the health of indigenous peoples was still unsatisfactory and underlined the lack of adequate nutrition and culturally inappropriate health care which together translated into failure of the right to development for indigenous peoples.

101. The representative from the Mashantucket Pequot Tribal Nations expressed concern th the schools, hospitals and other institutions which should provide security for indigenous children have instead been a great threat to them.

102. The representative of the Naga Peoples Movement for Human Rights quoted a memorandum from the President of Indian civil society groups, stating "We in the rest of India can no longer escape the consequences of the military suppression of the Naga people, which throws away the nation's human and material resources and carries the real danger of the subversion of our democratic processes".

103. The representative of the Pacos Trust spoke of the land issues which affected the lives o the indigenous peoples of Malaysia. She reported that indigenous lands were still falling into t hands of non-indigenous persons, despite laws and regulations allowing indigenous persons to hold any type of land title. She said that even land belonging only to indigenous peoples was being conferred on non-indigenous people. Although measures had been taken by the Government to address this issue, the damage had already been done.

104. The representative from the Maa Development Association reported that Maasai human rights activists were not allowed to participate freely in the public affairs in Kenya. He stresse that the traditional lands of the Maasai people were still being taken by mainstream society for such things as farms and parks.

105. The representative of the Association of the Shor People stressed the importance of lan for indigenous peoples. He congratulated the Chairperson-Rapporteur for her report on land a requested that the report be sent to the Russian Government.

106. The representative of RAIPON said that the lives and the survival of the peoples of the north was directly linked to the land. He told the Working Group that all the forests in the nort of Russia belonged to the State Forest Management and that the indigenous peoples had to rent the forest from the authorities. The maximum period of time they could rent the forest was 45 years. He also said that the peoples of the north were now ecological refugees as they had had to leave their traditional lands because of pollution. He requested that a United Nations body be set up to negotiate land issues between indigenous peoples and Governments.

107. The representative of the Indian Law Resource Centre called for a new mechanism to review States' practices concerning indigenous lands and resources. He mentioned as an example that the United States Government could take the property of an Indian tribe without paying fair compensation, as it would have to do for non-indigenous landowners. She strongly recommended that a study be undertaken by the Chairperson-Rapporteur on permanent sovereignty over national resources.

108. The representative of the Action d'appui pour la protection des droits de minorités en Afrique centrale provided information about the conditions of the Pygmies in the Democratic Republic of the Congo, who had been uprooted from their traditional lands resulting in a loss of indigenous culture. The land had been given to private companies which were using the forest and the land in ways that would cause the Pygmies to disappear.

109. The representative of the indigenous peoples of Chukotka told the Working Group that her people, who numbered approximately 30,000 persons, were suffering because reindeer meat was no longer being bought for food. Alcoholism had become a big problem for the indigenous peoples of the north. She also spoke about the importance of the ecology for the indigenous peoples of the north. A gold mine had been opened near one settlement that had polluted the rivers and fields. Life expectancy for indigenous women in her area was only 43.1 years, and for men only 36.8.

110. The representative of the indigenous peoples of the Khabarovsk region said that her people were trying to save their language and culture. Tourism was becoming a bigger source of income for them.

111. The representative of Finland said that some progress had been made on land issues since an act was passed in 1995 that gave linguistic and cultural autonomy to the Saami people. Nonetheless, land issues were still the major area which needed to be addressed. He stressed that the conflicts between the Saami and other Finnish people were not between individuals but between two peoples who had lived together for a long time in the north of Finland. He congratulated Ms. Daes for the excellent work she had accomplished during her 18 years as Chairperson.

112. The representative of the Leonard Pelletier Defense Committee drew the attention of the Working Group to the case of the indigenous human rights defender, Leonard Pelletier, who had been in prison for more than 25 years. He said that Mr. Pelletier had been denied a fair trial and the right to bring new information to the courts, thus denying him his constitutional rights.

113. The representative of the Asociación Napguana said that land, health and education were important issues for the survival of indigenous peoples. He expressed concern about bilingual and intercultural education, which he believed threatened the cultures of indigenous peoples because the minority culture and the smaller language were vulnerable. His people should have responsibility for the education of their children so that their culture could be preserved.

114. The representative of the organization Tamaynut from North Africa talked about the protection of the human rights of his people. He said that the constitutions of the countries in North Africa did not recognize the languages and cultures of the indigenous peoples. As an example, he explained that in Morocco Berber associations were prohibited from holding meetings or gathering to discuss cultural issues. Participation in political life was limited and subject to strict rules. People often could not give traditional names to their children, which further eroded the indigenous culture. Another representative of the Berber people referred to the problems faced by them in Algeria, where the education rights of the Berber (or Amazigh)

peoples were ignored and their language, which was spoken by 40 per cent of the population, was not used officially in education or public life. Islamic fundamentalism was used as an excuse to suppress Berber identity, particularly the rights of Berber women and children.

115. The representative of the Association pour le développementTIGMI reported that present policies were reducing Berber lands and the Berber people to poverty. She said that her people had endured French and Arabic (Islamic) colonization. She argued that agrarian reform had been used as a means of reallocating Berber arable land to other sections of the population.

116. The representative of the Maluku Sovereignty Front (Indonesia) talked about land and self-determination. He said that the Indonesian Government had reacted very strongly against the Maluku people when they made claims for their rights to be recognized. He also said that Christian Maluku people were being forced to live like Muslims and that several villages across Maluku had been totally destroyed. The representative of the Alifura peoples also referred to the present situation in the Moluccas islands and called for an end to the ongoing military conflict with the Indonesians. Villages were being destroyed and mines being placed around the villages. She claimed that Indonesia's immigration policies were bringing in peoples from other parts of Indonesia.

117. The representative of the Comité de Solidaridad Triqui said that there was a link between education and development. He noted that the Government of Mexico had introduced educational reform but that indigenous peoples were absent from all consultations and planning. He said that high levels of illiteracy among indigenous peoples remained an obstacle to acquiring an education and participating in development; only 2 per cent of the population achieved higher education in Mexico.

118. The representative of the Yurrgonendi First Nations Centre from Australia said that education was important to break the unemployment and poverty cycle that indigenous peoples were trapped in. He also spoke about the need to preserve indigenous languages, knowledge and biodiversity. He said that sadly, in Australia it looked like only a few indigenous languages would survive in the long run.

119. The representative of the Ainu Association of Rera spoke about a conservative politician from Hokkaido who referred to Japan as "one nation with one language and one ethnicity". "The Ainu", he went on to say, "are now completely assimilated". She also told the Working Group that no domestic laws existed in Japan to address racial and ethnic discrimination, but the Ainu people would continue to demand their rights as indigenous people.

120. Mr. Yokota said that, in his opinion, Japan did not consist of one ethnic group. He also believed that the Ainu people were the indigenous people of Japan, and said that they had been subject to discrimination and marginalization. They should be included in Japanese society and that their religion, culture and language should be fully respected. He expressed regret at the pain caused to them by the views expressed by a small number of conservative politicians.

121. The representative of Mauritius referred to a statement by the Chagos inhabitants. She clarified the position of the Government in regard to sovereignty of the archipelago, and said that the Government had never given permission to Great Britain to move people in or out of the territory or to relinquish their claim over the territory.

122. The representative of the Cordillera Peoples Alliance spoke of the need for recognition of the land rights of indigenous peoples. She noted that mining companies and Governments continued to place the rights of mining companies above those of indigenous peoples. Victims of disasters caused by mining activities were not compensated and extractive industries rarely benefited the traditional landowners. She supported the recommendations of the World Commission on Dams and especially noted the recommendations related to indigenous peoples.

123. The representative of the Asociación Indigena Aymara San Bartolomé de Livilcar (Chile) noted that indigenous peoples needed to be involved in all development that affected them and not just parts of some projects. He called for Chile to ratify ILO Convention No. 169, to set standards for indigenous peoples and develop suitable domestic legislation to address law reform, education, health and other areas.

124. The Chairperson of the Aboriginal and Torres Strait Islander Commission said that the reconciliation debate in Australia had finished without a successful resolution. He said it was now time to move forward, and called for a treaty as the basis of relations between indigenous peoples and the Government.

125. The representative of the Tamal peoples of Nepal discussed the under-representation of his peoples throughout the public sector of Nepal. He said that exclusionary practices had been established during colonial periods and which had resulted in ongoing racism against indigenous and minority groups in Nepal.

126. The representative of Denmark said that she believed the Greenland Home Rule arrangement was a good example of indigenous autonomy and self-determination. There was an ongoing commitment by Denmark to promote indigenous human rights. Greenland had had home rule for 20 years. She referred to a commission that was examining forms of increased autonomy within the Danish commonwealth.

127. The representative of the Fédération des organisation autochtones de Guyane spoke against the French policy of assimilation of indigenous peoples. She noted that all schoolteachers taught only in French. She also raised concern about ongoing environmental degradation of her homeland due to the exploitation and unsustainable practices of the colonizers.

128. The representative of the Rendu indigenous peoples of Flores, in Indonesia, discussed the characteristics of the customary land rights and practices of his people and the non-recognition of their rights by the Indonesian Government. He drew attention to the construction of a giant dam, against the wishes of his people, which would flood their traditional lands.

129. The representative of Chile provided information about ongoing initiatives to address indigenous land issues. He called for more indigenous professionals and outlined initiatives in education.

130. The representative of Malaysia spoke about government initiatives and the policies of a multiethnic society in accordance with the Malaysian Constitution. He rejected statements from NGOs that claimed that some sections of society were excluded from policy and programme planning and development. He said that the Government compensated peoples displaced by national development.

IV. STANDARD-SETTING ACTIVITIES, INCLUDING A REVIEW OF INDIGENOUS PEOPLES' RELATIONSHIP WITH NATURAL RESOURCE, ENERGY AND MINING COMPANIES

131. The representative of CAPAJ called for attention to the situation of the natural resources of the Aymara people, particularly the problem of water resources caused by dams and hydroelectric companies. Pastoral lands that were the only means of survival of peoples living in this area were being destroyed by a water development project. This project had not been subject to an environmental impacts assessment.

132. The representative of the Cactus Valley Red Willow Spring Community of Big Mountain lamented the devastation of the environment, life and culture of indigenous peoples in the Big Mountain area of Arizona caused by the energy plan of the United States Government. The energy plan agreed between the Hopi tribal governments and Peabody Western Coal Company contributed to the ecological and cultural destruction of the region. The representative called for an investigation into the mining activities of the Peabody Western Coal Company, which had damaged the health of indigenous peoples, destroyed irreplaceable religious shrines, ancestral graves/burial sites and other sacred areas, caused the decline of the aquifers and contaminated natural springs and vegetation; the mining had also caused forced relocation. It was further requested that the United States Government and the Hopi tribal governments, as well as the Peabody Western Coal Company, should recognize the General Assembly resolution on the protection of religious sites.

133. The representative of the Brazilian agropastoralist organization PRODECAP reported on the uranium mining activity in Niger that impacted negatively on the lives of indigenous peoples. He called for the international community and the WTO to make sure that all multinationals consulted with indigenous peoples about their development activities in indigenous land.

134. The representative of Philippines Indigenous Peoples Link reported that there were a number of projects being implemented by the Mines Minerals and Sustainable Development Project (MMSD) without the involvement of the wider constituency of all those affected by mining. With regard to the proliferation of voluntary codes of conduct, the representative was of the view that self-formulated and unregulated voluntary codes of conduct brought the standards-setting activity into disrepute. Further, such codes were not available in the languages of indigenous communities and were only available to Northern-based investors and NGOs, which indicated that companies' only concern was to pacify investors and NGOs and to isolate

communities from the networks of support that they often needed. He also reported on companies' activities that aimed at the removal of protective legislative frameworks and the introduction of liberalized access and financial incentives to speed up the penetration of indigenous territories by mining interests. With regard to prior informed consent, he reported on mining activities in the Philippines which violated Philippines laws in this regard. He also said that in order to secure false prior informed consent, the Government was using such tactics as ignoring existing community organizations and instead establishing indigenous organizations under the patronage of the company and the Government. This generated intense conflict, and the military and armed security groups were increasingly being used to intimidate and enforce. He pointed out that it was imperative for indigenous peoples to have access to independent information in order to be able to give their true prior informed consent. He concluded by suggesting that the Working Group should review the proliferating voluntary codes of conduct and work to promote standards that protected and promoted the rights of indigenous peoples, were backed by the force of law and provided for punitive damages for violations. He further requested that the Working Group pay attention to and report on the emerging standards based on precedent and existing legal instruments by which indigenous peoples and nations were seeking justice and reparations for the past and present abuses of mining and other corporations, including in the home countries of transnational corporations.

135. The representative of the Sarawak Peoples Campaign in Indonesia stated that the culture and identity of the Sarawak people were interconnected with the landscape and natural resources found on their traditional lands. State land and forest laws stemming from the colonial concept of *terra nullius* limited their access to their resource base. Their history and culture were being diluted and eliminated by mining and logging on their land. They called for assistance in seeking the Government's recognition of their particular relationship to land and resources and for protection from multinational corporations and the Government.

136. The representative of the Lakota Nation called for a study of the health effects of corporate hog farming in indigenous communities and further recommended that clear and definite health standards be set when corporate farms were built on indigenous lands.

137. The representative of the Tebtebba Foundation drew attention to several global policy initiatives relevant to indigenous peoples' rights and sustainable development focusing on water and energy development. The World Commission on Dams had carried out an independent global review of the development effectiveness of large dams and proposed criteria and guidelines for water and energy development. The role of indigenous peoples and other local communities affected by large dams and by other development projects were well reflected in its final report, referred to by other participants. The global review highlighted the disproportionate impacts on indigenous peoples of development programmes when their right to self-determination was ignored. The speaker requested the World Bank to reflect on the recommendations of the World Commission on Dams regarding indigenous peoples' free and prior informed consent and the need for resettlement programmes in a development mode to be included in the Bank's revised drafts of its policies on indigenous peoples and on resettlement. With respect to the upcoming world summit on sustainable development (Rio + 10), she recommended that OHCHR organize a workshop on indigenous peoples and sustainable development as one of the activities of the International Decade of the World's Indigenous People.

138. The representative of the World Conservation Union reported on a number of the Union's resolutions and recommendations concerning the rights of indigenous peoples. They include: (a) respect for indigenous peoples' rights over their lands, territories and natural resources in order to achieve sustainable development; (b) the adoption of methods of compensating indigenous peoples for damages caused on their lands or territories; (c) the effective participation of indigenous peoples in the agreements, implementation and monitoring processes, and legislative and administrative policies related to the exploitation of natural resources; and (d) the establishment of negotiating mechanisms between indigenous peoples, the State and other stakeholders in order to facilitate the resolution of conflicts that arise from the use or potential use of natural resources.

139. The representative of the Asia Indigenous Peoples Pact said that traditional ancestral lands were being taken away by the Government for building dams, military grounds, national parks, mines, recreation areas and the storage of nuclear waste. Indigenous peoples were forced to relocate from their land without reasonable compensation. The privatization policy of the Government had not only weakened their traditional land title, but had also led to the dissolution of the traditional community. Government agencies not only exploited the land, but also allowed business consortiums to exploit indigenous resources. He requested that, in accordance with the United Nations draft declaration on the rights of indigenous peoples, the Government return the traditional territory to the indigenous occupants and confirm their right to autonomy, self-management and the right to development based on indigenous traditions.

140. The representative of the Tallér de Historia Oral Andina reported on what mineral resources meant for the development of the Andean peoples and the disastrous effects of mining activities. He said that indigenous peoples did not have opportunities for development. They were being forcibly dispossessed of their natural resources through concessions to a company which is expected to be acquired by a transnational corporation. Indigenous peoples were massacred in order to take control of their land and the violators were not punished. He called for the Andean peoples' right to control their natural resources to be respected.

V. WORLD CONFERENCE AGAINST RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

141. The Chairperson-Rapporteur introduced agenda item 7 and drew attention to the two papers that she had prepared for the World Conference on discrimination against indigenous peoples. She also advised that she would attend the Conference and continue to lobby for indigenous rights. She had proposed to the Executive Coordinator of the Conference that indigenous representatives address the plenary of the Conference on the first day and said that their active participation was vital to the Conference's successful outcome.

142. The representative of the Asociación Indígena de la Repúblic Argentina said that the lack of recognition of indigenous peoples as indigenous was a form of racism. Indigenous children and youth suffered from triple discrimination because of their age, indigenousness and poverty. Sex tourism and sexual exploitation impacted disproportionately on indigenous youth. Young people were over-represented in custody and detention. They also faced limited access to education and often that education was inappropriate.

143. The representative of the Indian Movement "Tupaj Amaru" saw a disparity in approaches to racism in poor countries and rich countries. Rich countries did not see a link between colonialism and racism. He also raised issues of participation.

144. The representative of Canada said that indigenous peoples were affected by racism and that the Government would like to see effective participation by indigenous peoples in the World Conference. The Government would try to ensure that the declaration and plan of action were relevant to indigenous peoples.

145. A representative of the Indigenous Caucus noted that in the draft documents being negotiated by the Preparatory Committee for the World Conference the term "indigenous peoples" bore a footnote. No other group was singled out in that way. He therefore recommended that the footnote be removed. He also referred to the statement of the indigenous millennium conference that called for a world conference on indigenous peoples.

146. The representative of the Saami Council believed that the preparations for the World Conference had excluded advice from indigenous peoples. She supported the statement of the indigenous millennium conference. She claimed that the only difference between indigenous peoples and other peoples was the non-recognition of their right of self-determination.

147. The representative of the Teton Sioux Nation Treaty Council said that racism took many forms, including laws that overrode treaties that had been "sealed with a prayer". That was a violation of natural law. If the World Conference was concerned only with individual racism then the collective rights of indigenous would again be ignored.

148. The representative of Chile reminded the Working Group that the World Conference provided an opportunity for everyone to look at themselves self-critically. He believed that the Conference had already made a major contribution to global thinking on indigenous peoples and their problems. A commitment was made in Santiago to ensure that the World Conference recognized the proposals from the Latin American region.

VI. INTERNATIONAL DECADE OF THE WORLD'S INDIGENOUS PEOPLE, INCLUDING INFORMATION RELATING TO THE VOLUNTARY FUND FOR THE INTERNATIONAL DECADE OF THE WORLD'S INDIGENOUS PEOPLE AND THE REPORT OF THE ADVISORY GROUP

149. A representative of the OHCHR Trust Funds Unit reported on the activities of the United Nations Voluntary Fund for the International Decade of the World's Indigenous People. The Advisory Group of the Voluntary Fund had recommended for approval by the Secretary-General a list of 30 grants to projects of indigenous communities and NGOs for a total amount of US$ 252,000 (the names of organizations and amounts of the grants can be found in document E/CN.4/Sub.2/AC.4/2001/5). He also underlined that thanks to voluntary contributions the Fund was able to finance several programmes to be implemented by the

Indigenous Project Team of the Research and Right to Development Branch (RRDB) of OHCHR. The cost plan for 2002 amounted to a total of around US$ 415,000 for project grants to indigenous organizations and communities, as well as workshops and seminars on indigenous issues.

150. The representative from the Mohawk Nation at Kahnawake said that he had always been critical of the International Decade of the World's Indigenous People because very few people knew about it. However, he had been involved in several workshops under the programmes of the Decade. Among others, he had chaired a workshop in New York on indigenous media which was of a very high standard and had excellent attendance. He stated that the developing indigenous media programme was of great use to indigenous peoples.

VII. OTHER MATTERS

151. A representative of the OHCHR Trust Funds Unit reported on the activities of the Voluntary Fund for Indigenous Populations. The Board of Trustees of the Fund had recommended 79 travel grants for the participation of indigenous representatives at the Working Group and 23 travel grants to attend the seventh session of the working group on the draft United Nations declaration on the rights of indigenous peoples. The grants amounted to a total of US$ 431,900. In addition, the Fund had recommended that sufficient funds (about US$ 38,000) be set aside for grants to allow indigenous representatives to attend, as observers, a possible meeting of the Permanent Forum before the next session of the Board. This, however, called for the adoption of a resolution by the General Assembly which would further extend the mandate of the Fund. It was noted that contributions amounting to US$ 700,000 were necessary to cover the expenditures foreseen for 2002.

152. The representative from DOCIP provided information about its work during the last year which included courses for indigenous peoples, documentation on indigenous peoples, and the production of a CD-Rom containing all the interventions made at the WGIP during the last 20 years. The Chairperson-Rapporteur congratulated warmly Ms. Pierrette Birraux-Ziegler for the valuable contribution that DOCIP has made at the Working Group and thanked DOCIP for the very useful CD-Rom.

VIII. CLOSING MEETING

153. In her concluding comments, the Chairperson-Rapporteur thanked the members of the Working Group on Indigenous Populations, indigenous participants and observer Governments. She expressed satisfaction with the work achieved during the session, in particular on the principal theme. She noted that more than 1,000 persons had attended the session, confirming its importance as a meeting place for indigenous peoples in the United Nations.

154. Mr. Ted Moses, on behalf of the indigenous delegates, thanked the Chairperson-Rapporteur for her long years of constructive work and invaluable service and outstanding achievements. She had earned the appreciation of indigenous peoples from all over the world. He also thanked her for her numerous visits to indigenous communities which had

allowed her to see their conditions first hand and to provide important information relating to the work of the United Nations system concerning the protection of indigenous rights. He said that indigenous peoples had found a champion in Ms. Daes.

155. At the conclusion of the Working Group, all the participants took part in a ceremony expressing their gratitude and congratulations to Ms. Daes for her invaluable contribution in promoting and protecting the human rights and fundamental freedoms of indigenous peoples, and for her great success in keeping a balance in the constructive relations between indigenous peoples and Governments and for establishing a constructive and democratic dialogue between them.

IX. CONCLUSIONS AND RECOMMENDATIONS

A. Review of developments

156. The Working Group reaffirmed its view that the agenda item entitled "Review of developments ..." was a fundamental, constructive and positive part of its mandate. It noted that its sessions remained the only occasion in the United Nations when indigenous peoples, Governments, non-governmental organizations and intergovernmental organizations could provide comprehensive information about current developments. It also stressed its view that the open debate contributed to better understanding and fruitful action.

157. The Working Group expressed its appreciation to all participants and especially those who had travelled at great expense to participate. It welcomed the participation of observer Governments and the detailed information they had provided about current developments.

158. The Working Group expressed its gratitude to ILO, UNESCO, WHO, UNDP, the World Bank and the World Council of Churches for their constructive contributions in the plenary meetings and for the consultations and briefings they had organized as parallel events.

159. The Working Group thanked all participants who had organized parallel events. It considered that the organization of such events enhanced the work of the Working Group.

160. The Working Group welcomed the fruitful discussions that took place under the principal theme "Indigenous peoples and their right to development, including their right to participate in development affecting them", and decided that this principal theme will continue during the twentieth anniversary session in 2002. In this respect, it expressed its gratitude and appreciation to Ambassador Dembri (Algeria) who addressed the Working Group in his capacity as Chairperson-Rapporteur of the Working Group on the Right to Development and provided valuable information relating to the concept of development and the important work accomplished by the Working Group.

161. The Working Group also noted the ongoing efforts of UNDP and the World Bank to draft policy guidelines on indigenous peoples and encouraged both organizations to continue their work in full consultation with indigenous peoples and communities.

162. The Working Group decided to invite Mr. Guissé to prepare a working paper on "Indigenous peoples' right to development and globalization" for its twentieth session in order to stimulate further discussion on this important issue.

163. The Working Group noted that in the year 2002 it would be celebrating its twentieth anniversary and decided to highlight, as the first substantive item, the theme: "The Working Group on Indigenous Populations: achievements at the United Nations system and a vision for the future." In this respect, the Working Group decided to invite the Chairperson-Rapporteur, Ms. Daes, to present a working paper that would reflect upon the achievements accomplished by indigenous peoples at the United Nations and look forward to the challenges of the coming years. It also encouraged OHCHR to consider how it could organize special events, in cooperation with indigenous peoples, Governments, NGOs and the United Nations system, to celebrate the Working Group's twentieth anniversary.

B. Standard-setting activities

164. The Working Group reaffirmed its view that the agenda item on standard-setting constituted a fundamental part of its mandate, as stipulated in Economic and Social Council resolution 1982/34.

165. The Working Group noted the opinions expressed in relation to private sector energy, mining and natural resource companies and agreed to continue to provide an opportunity under this agenda item for further consideration of this question. In this respect, the Working Group urged Mr. Alfonso Martínez to submit to the Working Group at its twentieth session the working paper on indigenous peoples' relationship with natural resource, energy and mining companies requested in 1997.

166. The Working Group welcomed the decision by OHCHR to organize, in collaboration with ILO, WTO and UNCTAD, a workshop on indigenous peoples, private sector natural resource, energy and mining companies and human rights, and suggested that the Chairperson-Rapporteur be invited to make a contribution on this important and complex subject, along with any other member of the Working Group who wished to do so.

167. The Working Group decided to invite UNDP and the World Bank to present their new policy guidelines on indigenous peoples at its twentieth session so that indigenous peoples and communities could be better informed of initiatives in this area.

168. The Working Group decided to invite Ms. Motoc to prepare a working paper for its twentieth session containing proposals and suggestions for possible future standard-setting that might be undertaken, as well as another working paper on the consequences of biotechnology on indigenous peoples.

169. The Working Group decided to invite Ms. Daes to prepare a working paper on indigenous peoples' permanent sovereignty over natural resources, which is relevant to her study on indigenous peoples and their relationship to their lands (E/CN.4/Sub.2/2001/21).

C. World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

170. The Working Group reiterated its recommendation to the Bureau of the World Conference that representatives of indigenous peoples be given an opportunity to address the plenary, in accordance with paragraph 31 of the Vienna Declaration and Programme of Action of the World Conference on Human Rights.

171. The Working Group noted the inclusion of chapters devoted to indigenous peoples in the draft declaration and programme of action of the World Conference. It urged that the Conference use the term "indigenous peoples" without qualification in order to recognize the collective character of indigenous nations and communities. It also called for a strong statement that would re-invigorate the efforts to finalize the draft United Nations declaration on the rights of indigenous peoples. The Working Group also encouraged Governments to commit themselves to adopting appropriate legislation that would recognize indigenous peoples' rights over lands and resources and their self-governing institutions. It also called for the inclusion of practical and realizable activities within the programme of action that could be undertaken by United Nations agencies.

172. The Working Group welcomed the decision by OHCHR to organize parallel events during the Conference for indigenous peoples, in particular the "Indigenous media dialogue", the "Round table on indigenous issues" and "Voices of indigenous women". It also expressed its deep appreciation to the High Commissioner for ensuring that representatives of indigenous media were invited to the World Conference. Ms. Daes would represent the Working Group at the Conference, to which Mr. Alfonso Martinez had also been invited.

D. International Decade of the World's Indigenous People

173. The Working Group welcomed the information provided about activities undertaken in the framework of the Decade. In this respect, it congratulated the High Commissioner for organizing, in cooperation with the Working Group on Indigenous Populations and the Working Group on Minorities, the second Workshop on multiculturalism in Africa: peaceful and constructive group accommodation in situations involving minorities and indigenous peoples, in Kidal, Mali, in January 2001.

174. The Working Group encouraged OHCHR to organize other regional seminars and workshops so that indigenous peoples from all areas could have an opportunity to take part in activities in the framework of the Decade.

175. The Working Group noted the establishment by the African Commission on Human and Peoples' Rights of a working group on indigenous peoples and encouraged OHCHR to maintain and deepen its cooperation with the newly established body.

176. The Working Group decided to recommend to OHCHR that it organize a preparatory workshop on implementation of the recommendations relating to indigenous peoples contained in Agenda 21 of the United Nations Conference on Environment and Development.

177. The Working Group expressed its gratitude to members of the Advisory Group for the Voluntary Fund for the International Decade and the donor Governments that had made contributions to the Fund. It noted that the Fund provided support for indigenous projects, international and regional seminars and human rights training for indigenous peoples.

178. The Working Group noted the efforts within the Technical Cooperation Branch of OHCHR to include indigenous components in country programmes. In particular, it welcomed the organization by OHCHR of a training workshop for indigenous peoples on human rights in Oaxaca, Mexico, from 13 to 17 August. The Working Group encouraged OHCHR to continue to consider including indigenous components in its technical cooperation programmes.

E. Other matters

179. The Working Group expressed its appreciation to the organizers of the second NGO workshop on indigenous children and youth that took place in Geneva on 19 and 20 July 2001.

180. The Working Group expressed its grateful thanks and deep appreciation to the High Commissioner for the efforts she is making to prepare for the first session of the Permanent Forum on Indigenous Issues. In particular, it welcomed the proposals to establish a technical support team to undertake the necessary preparatory work under the auspices of an inter-agency contact group.

181. The Working Group decided to recommend that the Chairperson-Rapporteur , Ms. Daes, present the report on its nineteenth session to the Permanent Forum on Indigenous Issues when it meets in May 2002.

182. The Working Group expressed its deep appreciation to its Chairperson-Rapporteur, for the outstanding work she had done since 1984 to advance the cause of indigenous peoples and for her invaluable personal contribution to the recognition, promotion, protection and implementation of the rights of the world's indigenous peoples.

183. The Working Group decided to consider the following items at its twentieth session: "The Working Group on Indigenous Populations: achievements of indigenous peoples at the United Nations system and a vision for the future"; "Review of developments pertaining to the promotion and protection of human rights and fundamental freedoms of indigenous peoples: indigenous peoples and their right to development, including participation in development affecting them", "Review of developments: general statements"; "Standard-setting activities"; "Other matters".

Annex I

ATTENDANCE

The following 33 States Members of the United Nations were represented by observers: Algeria, Argentina, Australia, Austria, Brazil, Canada, Chile, China, Cyprus, Denmark, Democratic Republic of the Congo, Ecuador, Estonia, Finland, France, Greece, India, Indonesia, Japan, Malaysia, Mauritius, Mexico, Morocco, New Zealand, Philippines, Russian Federation, Spain, Suriname, Sweden, Thailand, United Kingdom of Great Britain and Northern Ireland, United States of America.

The following non-member States were represented by observers: Holy See, Switzerland.

The following United Nations bodies and specialized agencies were also represented by observers: United Nations Development Programme, International Labour Office, United Nations Educational, Scientific and Cultural Organization, World Health Organization, World Bank.

The following organization was represented by an observer delegation: World Conservation Union (IUCN).

The following non-governmental organizations in consultative status with the Economic and Social Council were represented by observers:

Aboriginal and Torres Strait Islander Commission, American Indian Law Alliance, Asian Buddhist Conference for Peace, Association of Indigenous Peoples of the North, Siberia and Far East of the Russian Federation (RAIPON), Commission of the Churches on International Affairs of the World Council of Churches, Grand Council of the Crees, Indian Council of South America (CISA), Indian Law Resource Centre, International Federation for the Protection of Ethnic, Religious, Linguistic and Other Minorities, Indian Movement "Tupaj Amaru", International Indian Treaty Council, International Movement Against Discrimination and Racism, International Organization for the Development of Freedom of Education (OIDEL), International Organization of Indigenous Resources Development, International Peace Bureau, Inuit Circumpolar Conference, Juridical Commission for Auto-Development of First Andean Peoples (CAPAJ), International Work Group on Indigenous Affairs (IWGIA), International Service for Human Rights, National Aboriginal and Islander Legal Services, Saami Council, Society for Threatened Peoples, World Organization against Torture, World Wide Fund for Nature International.

The following indigenous peoples' organizations and nations, as well as other organizations and groups, were represented at the eighteenth session and provided information to the Working Group with its consent:

Aboriginal Business Leaders and Entrepreneurs Aconamic, Action d'appui pour la protection des droits de minorités en Afrique centrale, Adivasi Ekta Parishad, African Indigenous and Minority Peoples Organization (AIMPO), African Indigenous Womens

Organization, Aini Peru, Ainu Association of Rera, Aktionsgruppe Indianer & Menschenrechte, Alexis Indian Band, Alifuru Organization, Almaciga (Grupo de Trabajo Intercultural), Amerindian Peoples Association of Guyana, Anipa, Ancap-Tamaynut, Anywaa Survival Organisation, Asia Indigenous Peoples Pact (AIPP), Assembly of First Nations, Asociación Andés, Asociación Indígena Amayra de Achá, Asociación Indígena Aymara San Bartolomé de Livilcar, Asociación Indígena de la República Argentina, Asociación Napguana, Association des chantiers assais, Asociation Indigène de Batwa Republique, Association Isudar, Association nationale pour la communication et l'éducation aux droits de l'homme, Association of Indigenous Peoples in the Ryukyus (AIPR), Association of the Shor People, Association pour la promotion des Batwa rwandais, Association pour la promotion des Batwa (APB), Association Tidawt, Bangladesh Adivasi Forum, Bank Information Center, Bawm Indigenous People's Organization, Bawn Social Council, Black Hills Teton Sioux Nation, Borok People of Twipra, Borok Peoples Human Rights Organisation, Cactus Valley Red Willow Spring Sovereign Community of Big Mountain, Canadian Friends Service Committee, Canadian Indigenous Women's Resource Centre, Capitania Guarani Zona Santa Cruz, Casa Nativa Tampa Allqo, Centre for Organizations Research and Education (CORE), Centro de Investigación para la Paz, Centro Indígena Saraguros de San Vincente de Caney, Chin Indigenous People, Chittagong Hill Tracts Hill People's Church, Chotanagpur Adivasi Sewa Samiti, Conseil national des droits du peuple autochtone en Nouvelle-Calédonie (CNDPA), Coalición Nacional de Mujeres Indígenas, Comité de Solidaridad Triqui, Comité Suisse de soutien aux Chagossiens, Commission amazighe internationale pour le développement et les droits de l'homme, Comunidad Shuar de Namarin, Confederación Nacional de Criadores de Alpaca, Llama y Vicuna, Congrès mondial amazigh, Consejo de Organizaciones Mayas de Guatamala, Consejo de Organizaciones Tukum Umam, Consejo de Pueblos y Organizaciones Indíginas (Ecuador), Consejo Gitano, Consejo Nacional de Mujeres Costarricenses, Consejo Tukum Umam, Contralesa, Coordinadora de las Organizaciones Indígenas de la Cuenca Amazónica (CSIA), Cordillera Peoples Alliance, CSIA-Nitassinan, Cultura de Solidaridad Afroindígena, Daba Lorivhuwa Front, Dabalorivhuwa Patriotic Front, Danzistico Micanchic-Supay, Dapan, Deboin Peoples Foundation, Dene Sulane of Coldlake, Desarrollo Rural Yolchikaualistli, Dorobo Centre for Dorobo Rights, Dorobo People, Dupoto-e-Maa, Eagle Star International, ECDPM, ELS-HAM Papua, EMIROAF - Ethnic Minority Rights Organization of Africa, Empire Washitaw, Ethnica, FEIE, Faira Aboriginal Corporation, Fédération des organisations autochtones de guyane, First Nations Business Training Group (FINBARR), Forest Peoples Programme, Foundation Zio-Ai, Fund of the Seventh Generation, Fundación Kuramai, Fundación Promocion Conocimiento Indigena, Fundación Rhumy Wara, Gambela Peoples Democratic Congress, Grumin, Haudenosaunee, Hawaii Institute of Human Rights, Health Unlimited, Higaonon Peoples, Hill Women's Federation, Hmong International Human Rights Watch, Hojas de Hierba, Human Rights International Alliance, Human Rights Institute, ICRA (International Commission for the Rights of Aboriginal People)-Suisse, IETSSAY, ICN, ICTI Tanimbar, Iloodoariak Community Land and Development Project, Incomindios, Indian Confederation of Indigenous and Tribal People, Indigenous Information Network, Indigenous Peoples of Africa Coordinating Committee (IPACC), Indigenous Tribal Development Centre, Indigenous-Tribal Peoples of the Tropical Forests, Institute for Human Rights Study and Advocacy, Institute for West Papua Indigenous People Study and Empower, Instituto Qheshwa Jujuymanta, International Alliance of Indigenous and Tribal Peoples of the Forest, International Native Tradition Interchange, Jatiya Adiuashi Parishad, Juventud Kuna, Ka Lahui Hawai'i, Kanaky People, Kebager te Ked-Inged, Keiyo Indigenous Community, Khasi Welfare Association, Khoekhoegowas Curriculum Committee,

Kingdom of Islamic Foundation, Kirat Yakthung Chumlung, Komi People Congress, Komi People Revival Committee, Kuki Indigenous People (KIP), KWIA, Lakota Nation, Land is Life, Lao Human Rights Council, L'Auravetlan Foundation (Moscow), Lelio Basso International Foundation, Leonard Pelletier Defense Committee, Loodariak Community Land and Development Programme, Lumad Peoples Movement, Lumbu Indigenous Community Foundation, Maa Development Association, Maasai Women for Education and Economic Development, Maluku Sovereignty Front, Mapuche International Link, Mashantucket Pequot Tribal Nations, Mena Muria Foundation, Metis Nation of Alberta, Metis National Council, Mission mondiale de refuge, Mohawk Nation, Moluccan Sovereignty Front, Mugarik Gabe, Mujer Kichin Konojel, Naga Peoples Movement for Human Rights, Nagatira Lands Trust Aotearoa, Na Koa Ikaika O Ka Lahui Hawaii, National Adivasi Council, National Khoisan Consultative Council of South Africa, Nepal Federation of Nationalities, Netherlands Centre for Indigenous Peoples, New Humanity, Ocaproce International, Ogiek Rural Integral Projects (ORIP), Oraon People, Organización Nacional Indígena de Colombia (OINC), Organización de la Nacion Aymara, Organisation for Survival of l-Laikipiak - Indigenous Maasai Group Initiatives (OSILIGI), Pacos Trust, Pagkakaisa Ng Aeta Ng Pinatubo, Inc., Parakuiyo Community, Parbatya Bouddha Mission, Parbatya Chattagram Jana Samhati Samiti, Pauktuutit Inuit Women's Association, Peace 2000, Philippines Indigenous Peoples Link, Programme d'intégration et de développement du peuple pygmée au Kivu, PREDO, PRODECAP (Brazil), Pueblo Quechua, Ramflems ent., Rehab Hope Fund, Inc., Rehoboth Baster, Sarawak Peoples Campaign, Sedac Jóvenes, Sengwer Indigenous Development Project, Servicios para el Desarrollo, Shakyamuni Bouddha Vihara, Shimin Gaikou Centre, Silangwa Youth Group, SIMOO, Siocon Subanon Association, Solidarité avec les peuples autochtones d'Amérique (Nord, Centre et Sud) (SOPAM), South Africa Goring Haicona, St. John's Mission, Bijni, Survie Touaregue-Temoust, Taliate Abanesse, Tallér de Historia Oral Andina, Taller Laboral Cerrochomio, Tamaynut, Tebtebba Foundation, Teton Sioux Nation Treaty Council, Tidawt, Tin Hinan, Tomwo Integrated Pastoralists Development Initiatives, Torres Strait Regional Authority Australia, Tribal Women's Artists Cooperative, Tsou National Council, UNESCO Centre of Catalonia, UNESCO Extea Unissons-nous pour la promotion des Batwa (UNIPROBA), Waso Trustland Project, Working Group of Indigenous Minorities in Southern Africa (WIMSA), Working Circle Indians Today, World Adivasi Council (WAC), World Coalition for Indigenous Children and Youth, World Sindhi Congress (BRAD), Yurrogonendi First Nations Centre, Zio-ai Foundation, Zo Re-Unification Organisation.

In addition to the above-mentioned participants, a number of individual scholars, human rights experts, human rights defenders and observers attended the meetings:

Aarhus University, Agadez (Niger), Arbeitskreis Tourismus und Entwicklung, Basque Government, Bilbao Etxezabal, CEFAIL, Canadian International Development Agency, Canisius College, Centre National de la Recherche Scientifique, Centro de Investigación Para la Paz (CIP), Children on the Earth Event, Chuo University, CISCO, Dioleg Entre Cultures, Dodos EGG, ECDPM, Hawaii Institute of Human Rights, Health Development, IUED, Institut für Ökologie und Aktions - Ethnologie, Institute for Ecology and Action Anthropology, ISIA, Jharkhand State (India), Kisik Marketing, La Causa dei Popoli, L'École de Lausanne, Monkey's Dream, Narada (Germany), Nederlands Centrum voor Inheemse Volken, Paroa School, Rio Tinto, Sarini, Childrens Project, St. John's Mission-Bijni, Taneatua School,

The Revolutionary Committees Movement, Association pour le développement, TIGMI, Universidad Nacional de Educación a Distancia, University Institute of Studies and Development, University of Amsterdam, University of Barcelona, University of Berlin, University of Berne, University of Cergy-Pontoise, University of Copenhagen, University of Deusto, University of Dijon, University of Essex, University of Geneva, University of Keele, University of Madrid, , University of Marseille, University of Nantes, University of Neuchatel, University of Norway, University of Notre-Dame de la Paix, University of Oslo, University of Oxford, University of San Paulo, University of Strasbourg, University of Valencia, United Nations Voluntary Fund for Indigenous Populations, Yankuikaahuak.

Annex II

LIST OF DOCUMENTS

Provisional agenda	E/CN.4/Sub.2/AC.4/2001/1 and Rev.1
Annotations to the provisional agenda	E/CN.4/Sub.2/AC.4/2001/1/Add.1
Note by the secretariat: Principle theme: Indigenous peoples and their right to development	E/CN.4/Sub.2/AC.4/2001/2
Workshop on indigenous media: "Promoting the rights of indigenous peoples through the media"	E/CN.4/Sub.2/AC.4/2001/3
Voluntary Fund for Indigenous Populations: note by the secretariat	E/CN.4/Sub.2/AC.4/2001/4
International Decade of the World's Indigenous People; Voluntary Fund for the International Decade of the World's Indigenous People: Note by the secretariat	E/CN.4/Sub.2/AC.4/2001/5
Indigenous peoples and their relationship to land; final working paper prepared by the Special Rapporteur, Ms. Erica-Irene A. Daes	E/CN.4/Sub.2/2001/21

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